

Remarks

In the Office Action dated September 12, 2006, the Examiner rejected claims 1-4, 7-9, 17-19, 22-28, 31-33, 41-43 and 46-48 under 35 U.S.C. § 102 as being anticipated by the article by de Korte, et al. The Examiner rejected claims 1 and 2, 4, 7-9, 17-19, 22-28, 31-33, 41-43 and 46-48 under 35 U.S.C. § 103 as being unpatentable over de Korte, et al. The Examiner indicated that claims 5, 6, 20, 21, 29, 30, 44 and 45 were objected to but would be allowable if rewritten in independent form. The Examiner allowed claims 10-16 and 34-40.

By this Amendment, Applicants' Attorney has amended each of the rejected independent claims to more particularly point out and distinctly claim what Applicants regard as their invention. In particular, claims 1, 17, 25 and 41 have been amended to make it clearer that an initial transmural force is altered to obtain one or more altered transmural forces and while such altering is taking place, the local changes in position of at least one location within the vascular wall resulting from physiologic pressures with the at least one altered transmural force is measured. Clearly, these features are neither taught, disclosed nor discussed by any of the references of record, including de Korte, et al. taken either alone or in combination with one another.

De Korte, et al. teaches at page 1467, lines 7-8, paragraph 2, measuring compression induced by either systematic pressure difference or by using a compliant intravascular balloon but not by altering transmural pressure while measuring local changes in position as required by the presently amended independent claims.

Furthermore, in the methods section at the bottom of page 1468 of de Korte, et al. to the second from the bottom paragraph on page 1469, in vitro experiments are described wherein no physiologic pressure induced deformation is present. Consequently, such experiments are not applicable to the presently claimed invention.

Still further, in the methods section, page 1469, bottom paragraph, describes in-vivo experimental methods wherein de Korte, et al. look at strain induced by the pulse pressure but they did not alter this pressure with the balloon for the purpose of performing a measurement.

Only with the present invention is there provided the altering of an initial transmural force to obtain one or more altered transmural forces and the measuring of local changes in position of at least one location within the vascular wall resulting from physiologic pressures with the at least one altered transmural force during the step of altering.

Consequently, in view of the above and in the absence of better art, Applicants' Attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

Respectfully submitted,

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